

1888-030 Chancery Causes: W. B. Lockett + Co] vs D. B. Bales &  
Lee Co.

Lockett, Lotspeich, Hayzen, Robinson, Surgener, Kerr,  
Surgener Bales & Co]

CA-Debt  
T-Property



To the Honorable H. S. K. Morison, Judge of  
the Circuit Court of New Co., Va.

Humbly complaining your or-  
ators W. B. Rockett, J. C. Lotiswick, W. B.  
Lockett Jr., and R. S. Hazen merchants and  
partners in trade, trading under the firm  
name of W. B. Lockett & Co. would respect-  
fully represent unto your Honor, that at  
the last August term of your Honor's  
successor's court on the law side there-  
of, they obtained a judgement against  
D. B. Bales and H. M. Robinson survivors  
of themselves and A. R. Surgenor decd. who  
were late merchants and partners in the  
retail goods business, under the firm  
name of Surgenor, Bales & Co. for \$  
338.15<sup>4</sup> with legal interest thereon from  
the 25 day of Sept. 1885 till paid and  
\$8.36<sup>4</sup> their costs recovered at law. An ab-  
stract of which judgement is here filed  
marked "A", and prayed to be considered;  
that a fi. fa. was issued upon said judg-  
ment from the circuit court clerk's office  
and put in the hands of S. O. Ewing depu-  
ty sheriff for R. D. Flannery high sheriff  
of said County and was returned to the  
clerk's office with this return upon  
it.

X Lotiswick is a resident of 120 Main St. New. 5-11-1885-  
and \$22<sup>00</sup> paid July 5th 1886



Admiral's estate

a copy of which  
fieri facias is here filed and marked  
"B"; that the said A.R. Surgenor de-  
parted this life about the day of  
188 seized and possessed of large and  
valuable estate; that letters of admin-  
istration by the County Court was grant-  
ed to James H. Orr upon the said Surgen-  
or's estate; that in the creditors  
~~suit~~ <sup>suit</sup> of H.E. Burns Exor. vs J. H. Orr  
~~now pending in this court~~  
by the report of Comr. Hyatt it  
is shown that the estate of A.R.  
Surgenor is individually indebted  
to D.B. Bales \$ and to Wm Rob-  
inson \$

And your orators would further  
show your honor that the said D.B.  
Bales and Wm Robinson are severally  
seized and possessed of valuable tracts  
of land copies of the deeds to which  
are here filed and marked "D.B." + "W.R."  
and prayed to be considered as a part of  
their bill of complaint; that they  
are advised that their judgment  
is a lien upon all the lands to which  
the said Bales & Robinson were enti-  
tled at or after the date of ~~their~~  
orators said judgment; that the  
lien of your orators is only enforceable  
in a court of chancery, they having



remedy at law by which they can  
make effectual their lien, that the  
the rents and profits of said land  
will not pay said judgement, interest  
costs at law and costs in this suit  
within five years. Therefore with  
these premises your orators hum-  
bly pray your Honor to enforce  
their lien by proper decree of  
sale of said land; that J. W. Orr Ad-  
ministrator of the estate of A. R. Surgen-  
er be prohibited and enjoined from  
paying any money over to the  
said D. B. Bales or Am Robinson, that  
he may owe them or either of them as  
such administrator until it is seen  
in the future progress of this your  
orators suit that the <sup>said</sup> lands of the  
said D. B. Bales and Am Robinson is  
amply sufficient to pay their said  
judgement lien; That D. B. Bales,  
Am Robinson, and James W. Orr  
Admin of the estate of A. R. Surgen-  
er be made parties Defendants to this  
bill of Complaint, and be required  
severally to answer the same on oath as  
fully and particularly as if each of them  
had been thereto specially interrogated, and  
particularly that the said J. W. Orr Admin-  
or answer the several Aunts due the  
said Bales and Robinson from his



intestate as shown by Comr. Hyatt's  
report in the Cause of <sup>Adm'r</sup> H. E. Burns  
242 vs J. H. Orr. it also now pending in  
this circuit court. And that such  
other and further relief be granted to  
your orators as is adapted to the nature  
of their cause, and agreeable to equity  
and good conscience. May ~~the~~ sum-  
mons issue &c And your orators  
will ever pray &c

Muncie & Pennington  
D. J.

M. B. Dickert & Co  
vs J. B. Bales & Co

1887 March Bill Filed

Shaw Executed & D. Chas

" April D. H. Conf. of

Cause set for hearing

1888, Apr. Decree final

\$ 6.77 to pay 1-1888  
\$ 1.50  
\$ 15.00  
+ 6.91  
\$ 24.18

Rec'd of Surgeons, Bales & Co Eighty dollars  
on a judgment in our hands in favor of  
A.B. Lockett & Co This Sept. 23<sup>rd</sup> 1886  
Duncan & Pennington

Recorded on Execution

(A.B.)



W.B. Lockhart & Co

N 1 Receipt

Surgeon Bates Ho

To the Hon R. S. H. Morrison Judge of the Circuit  
Court of Lee County Virginia

The Separate Answer of D. B. Bales one of the surviving  
Members of the late firm of Surgeon Bales Robinson  
to a bill filed against him and Wm M Robinson the other  
surviving Member of said firm by W B Lockett Esq.

Respondent says it is true that the plaintiffs did  
obtain the judgment at law in their bill returned  
subject to the two credits one of \$120.00 and the other of \$22.00  
as in their bill is stated. And since said judgment was  
rendered, to wit on the 20th day of Sept 1885 there was  
paid on said judgment the further sum of \$80.00 which  
is shown by a receipt for that sum hereto attached marked (A) and  
this last sum is credited as an operation which is not  
upon said judgment now on file in the case, but the  
sum is not stated or referred to, in the Poffe bill.

It is also true that said Surgeon died intestate  
in this county in Sept 1885, and that J. W. Orr became his  
administrator and it is also true that said Surgeon's estate is  
owing the survivors of the late firm of Surgeon Bales  
Robinson a considerable sum, and respondent is more  
than willing for the Plaintiffs to take so much of that  
claim as will satisfy and discharge the balance due them  
on said judgment at law.

It is also true that respondent was Valuable real estate  
in the county and said judgment be satisfied out of the same  
him thereon but it is not true that the assets and profits  
of respondent's real estate will not pay said judgment  
in five years time, the truth is said real estate will



if sent out pay the balance due the plaintiff in 1886  
two years time as he avers & believes.

Respondent does not know the condition of his co debt  
Robinsons land, but he supposes it is liable along with his  
to the plaintiffs demand & the same should be made to bear  
a portion of the plaintiffs demand.

Respondent having now answered as fully as deemed  
material he prays that the plaintiffs bill be dismissed.

Henry J. Morgan for Bales

I do swear that the statements of the  
foraging answer are true as I verily  
believe so help me God.

G. B. Bales

Subscribed & sworn to before me

by D. B. Bales March 30<sup>th</sup> 1887.

H. J. Morgan Cant.



Daniel B. Bates

Ass. } Associate

W. B. Lockett Esq

Filed March 30<sup>th</sup> 1888,

J. A. Hyatt & Co.



Wm B. Loesutt v 60

Pitts

vs

3 Insolvency

DB Ballo & Coals,

Defts,

This cause came on again this day to be further heard upon the papers heretofore read and the report of C. J. Duncan this day filed in open court and was argued by counsel,

And it appearing <sup>from</sup> said report that the debt in the Bill mentioned has been fully paid, and that the costs still remain unpaid, and it being suggested by said Commissioner that an execution for said costs will be equally available as the decree for renting heretofore entered it is adjudged and decreed that the costs of this court for the costs of this suit for which execution may issue and the cause is stricken from the docket.



W. B. Lookall & Co  
no  $\frac{1}{2}$  Dear Sir

L. B. Bates & Co  
Second page no  
of the same

Enter this drawing  
A. S. K. 702  
April 4<sup>th</sup>, 1888



To the Honorable H. H. Morrison Judge  
of the Circuit Court of Lee County,

Your Commissioner in the causes  
of Briscoe Swenson & Co & Co vs D B  
Balsitt & Co and W B Loebutt & Co vs  
the same Defts beg to report  
that, the defendants have fully paid  
the debt and interest in the case  
of W B Loebutt & Co against them, but  
that the costs in said cause remain  
unpaid, said Defts are very good  
for said costs, and an execution  
will be equally availing with the  
decree for renting heretofore entered  
in said causes. Your Commissioner  
therefore suggests that this cause  
be stricken from the docket with  
leave for execution to issue when  
called for,

Respectfully submitted  
C. T. Dunsen, Commissioner



W. B. Luskett & Co  
70 1/2 Report

D. B. Bales. et al

Filed Apr 4<sup>th</sup> 1888.

W. B. Luskett



# The Commonwealth of Virginia,

## To the Sheriff of Lee County--Greeting:

We Command You, That of the Goods and Chattels of

*Wm. Robinson &*

*D. B. Bales*

late in your Bailiwick, you cause to be made \$ *338.15*, with legal interest thereon from the *22* day of *Sept.*, 18*85*, till payment, which

*Wm. B. Lockitt & Co*

lately in our Circuit Court of Lee County, have recovered against *them* by suit for *Debt*

Also, \$ *8.36*, which to the said

*Lockitt & Co*

in our Court were adjudge for *their* costs in

that behalf expended, whereof the said

*Robinson & Bales*

*are* convicted, as appears to us of record. And that you

have the same before the Judge of our said Court at the Court House on the first Monday in *November*

next, to render to the said

*Lockitt & Co*

of the

*Debt*

and costs as aforesaid.

And have then and there this Writ.

Witness, J. A. G. HYATT, Clerk of our said Court, at the Court House, this

*7th* day of *Sept.*

18*86* in the *10* year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

*le 4.61 Paid*  
*8 1.00 Paid*  
*2. 2.50 Paid*  
*c.c. 25-Paid*  
*8 8.36*

*Copy*  
*Teste J. A. G. Hyatt c.c.*



Cor Nov 5-11 1885-  
 + " July 5- 1886  
 + " Sept 23rd 1886

8/20.00  
 22.00  
 80

227) Direct 1885  
 Aug 30

Wm B. Lockett & Co

vs 3/4 Hi Ha

Robinson & Bales

Lo. Nav. Rules 1886

No property found

S. H. Ewing

Deputy for R. D. Flannery  
S. H.

A Copy  
 Leste J. G. Hyatt & Co

Fee for copy 40¢



# The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Creeting:

WE COMMAND YOU to summon G. B. Bales and Wm M.  
Robinson Survivors of themselves and A.R. Surgenner  
late merchants and partners trading under the firm  
name of "Surgenner Bales & Co." and J. M. Kerr  
Admr. of said A.R. Surgenner deceased

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House  
on the first Monday in March next, being Rule Day, to answer a  
Bill in Chancery exhibited in our Court against them, by W. B.  
Lockett, J. O. Lotspeich and R. S. Hagen  
merchants and partners in trade under  
the firm name of "W. B. Lockett & Co."

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said  
Court, at the Court House, this 24<sup>th</sup> day of February 1887 in  
the 11 year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste :



(D. & P.)

Mr B. Lockett & Co.

vs  $\frac{3}{3}$  Spa in chey

D. B. Bales et al

Lo March Rules 1887.

Executed & delivered  
a true office copy of  
the within to D. B. Bales  
March 5 1887

J. L. Curry  
at

for R. S. Glenney  
J. L. C.